

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

BRANDON CALLIER,

Plaintiff,

v.

CREDIT MOUNT INC, and DENNIS  
SHAKHNOVICH a/k/a DENNIS  
TENSHOV,

Defendants.

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EP-23-CV-00030-FM

**ORDER TO SHOW CAUSE FOR FAILURE TO PROSECUTE**

On June 8, 2023, the court denied Plaintiff Brandon Callier's motion for entry of default judgment for sum certain by the Clerk of the Court because his Telephone Consumer Protection Act and Texas Business and Commerce Code claims are not for sums certain.<sup>1</sup> Plaintiff has yet to correct the deficiency by filing a motion for default judgment from the court.<sup>2</sup> Accordingly, it is **HEREBY ORDERED** that Plaintiff show cause by **August 7, 2023**, as to why this case should not be dismissed for failure to prosecute. Failure to timely respond will result in dismissal.

**SIGNED AND ENTERED** this 31<sup>st</sup> day of July 2023.



FRANK MONTALVO  
SENIOR UNITED STATES DISTRICT JUDGE

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<sup>1</sup> "Order Denying Motion for Default Judgment for Sum Certain" 1–2, ECF No. 13, entered June 8, 2023; *see* FED. R. CIV. P. 55(b)(1).

<sup>2</sup> *See* FED R. CIV. P. 55(b)(2).